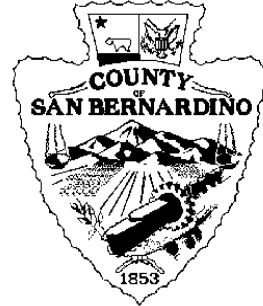


# NEWS

## From Supervisor Bill Postmus First District, San Bernardino County



FOR IMMEDIATE RELEASE  
April 29, 2003

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### **SUPERVISORS APPLY TO FEDS FOR ROAD OWNERSHIP** *-County Could Be First Granted Title to Road Through Federal Land-*

SAN BERNARDINO – The San Bernardino County Board of Supervisors today approved a motion by First District Supervisor Bill Postmus to apply to the federal Bureau of Land Management (BLM) for ownership of Camp Rock Road, which traverses 42 miles of mostly federal land in the Mojave Desert.

If the application is approved by the California State BLM Office, the County of San Bernardino would be granted a “recordable disclaimer” – essentially a quitclaim deed – granting title to the right of way for the road that links Lucerne Valley to the Barstow area. The application demonstrates that the County has maintained the road for more than 70 years.

The County’s recordable disclaimer application – the first in the nation – has been made possible by a new federal regulation adopted February 5<sup>th</sup> by Interior Secretary Gail Norton – Federal Regulation 43 CFR 1860. It makes it possible for states and counties to resolve title to roads on public lands under Revised Statute 2477 (R.S. 2477).

“With this action we as a county are leading the way for other counties and even other states toward establishing a process to get legal title for rights of way through federal lands,” Postmus said. “The Bush Administration has gotten this process moving by adopting 43 CFR 1860. I commend the Bush Administration for making this possible.”

The intent of the County’s application is to ensure there is no question that the County is expending maintenance funds on roads that are wholly and explicitly owned by the County. According to the Public Works Department, the BLM will not prescribe any terms, conditions or maintenance that will be required to maintain a right-of-way once a recordable disclaimer is issued.

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## CAMP ROCK ROAD 2-2-2-2

Postmus said his intent in proposing the application is to also make it more difficult in the future for the BLM and other federal agencies to limit public access to roads and trails within their jurisdiction.

After discussions between Supervisor Postmus, BLM officials and the County's Federal Lands Consultant, Gerald Hillier, the County Department of Public Works developed the inch-thick application that includes a history of maintenance and use showing the County's interest in Camp Rock Road prior to October 21, 1976, the date that the Federal Land Policy and Management Act created the R.S. 2477 statute.

Postmus said today's action carries out the intent of a series of Board resolutions asserting R.S. 2477 rights of way in a general sense. "This finally adds specificity to what has been the Board's stated intent for years," he said.

Postmus said the reason Camp Rock Road was chosen for the County's first application was because it is considered a clear and simple case that can be used for the County and the BLM to help gain experience and "institutionalize" the process within the BLM. "Hopefully this will help establish a process that can be later emulated within other Interior Department agencies, like the National Park Service," he said.

Postmus said he does not believe it is the Administration's intent to allow for paving of new highways through wilderness areas, as some environmental groups have claimed.

"Those claims are ridiculous," Postmus said. "They are scare tactics of extreme environmental groups whose agenda is to lock people out of federal lands. The regulations only allow for roads as they existed in 1976. It doesn't allow for expanding or upgrading roads. Doing that would trigger other laws and regulations."

Postmus also said that despite the claims of some environmental groups, the purpose of the new R.S. 2477 regulations is not to make it easy to attain ownership of all roads within federal lands.

"The idea that we're going to try to make a case for thousands of miles of routes is ludicrous," Postmus said. "The burden of making the case for ownership of each road, and the time and expense inherent in the process, will limit the number of roads we apply for. Meanwhile, we'll see how this application goes from a procedural and cost standpoint. Later we'll consider which other rights of way would best serve the public interest."